

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

GEORGE D. MANDERBACH, INC. DBA  
MANDERBACH FORD

*Plaintiff*

v.

MANISHA CHANDRA, DEEPAK  
CHANDRA AND SANJAY CHANDRA

*Defendants*

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CIVIL ACTION NO. \_\_\_\_\_

**PLAINTIFF’S ORIGINAL COMPLAINT AND  
APPLICATION FOR WRIT OF SEQUESTRATION**

Plaintiff George D. Manderbach, Inc. dba Manderbach Ford (“Plaintiff” or “Manderbach Ford”), files this Original Complaint and Application for Writ of Sequestration, complaining of Defendants Manisha Chandra, Deepak Chandra, and Sanjay Chandra (collectively, “Defendants” or the “Chandras”), and in support, would respectfully show the Court as follows:

**I.**

**INTRODUCTION**

1. Manderbach Ford brings this action seeking monetary damages, as well as the return of personal property arising out of Defendants’ possession and conversion of several very expensive vehicles. Plaintiff seeks economic damages related to the Defendants’ conversion of the Vehicles, a declaratory judgment regarding Plaintiff’s right to possession and ownership of the Vehicles, and writs of sequestration pursuant to Chapter 65 of the Texas Civil Practice and Remedies Code during the pendency of this action, as set forth in detail herein.

**II.**

**PARTIES**

2. George D. Manderbach, Inc. dba Manderbach Ford is a Pennsylvania corporation

with its principal place of business in Hamburg, Pennsylvania.

3. Defendant Manisha Chandra (“Manisha”) is an individual residing and domiciled in Westlake, Tarrant County, Texas. Manisha may be served at her residence, 2219 Cedar Elm Terrace, Westlake, Texas 76262 or wherever else she may be found.

4. Defendant Deepak Chandra (“Deepak”) is an individual whose based on information and belief has a permanent residence is in Westlake, Texas, but who currently resides at 11600 Santa Monica Blvd Apt 504 Los Angeles, CA 90025. Deepak may be served at his residence, 11600 Santa Monica Blvd Apt 504 Los Angeles, CA 90025, or wherever else he may be found.

5. Defendant Sanjay Chandra (“Sanjay”) is an individual residing in Westlake, Tarrant County, Texas. Sanjay may be served at his residence, 2204 King Fisher Drive, Westlake, Texas 76262 or wherever else he may be found.

### **III.**

#### **JURISDICTION**

6. The Court has jurisdiction over this dispute pursuant to 28 U.S.C. § 1332(a)(1) because the Plaintiff and Defendants are citizens of different states and the amount in controversy exceeds \$75,000, excluding interest and costs. Specifically, Manderbach Ford is a Pennsylvania corporation and has its principal place of business in Hamburg, Pennsylvania. Defendants are Texas residents. Thus, there is a complete diversity of citizenship among the parties. Moreover, the Court is authorized to grant declaratory relief under the Declaratory Judgment Act, 28 U.S.C. Section 2201, 2202 implemented through Rule 57 of the Federal Rules of Civil Procedure.

### **IV.**

#### **VENUE**

7. Venue is proper in the Northern District of Texas, Fort Worth Division, pursuant to

28 U.S.C. Section 1391(b), as a substantial part of the events or omissions giving rise to the claim occurred in Tarrant County, Texas. Specifically, it appears that at least two (2) of the vehicles at issue herein are currently in the possession of Manisha and Sanjay in Tarrant County, Texas. Defendants also permanently reside in Tarrant County, Texas.

**V.**  
**STATEMENT OF FACTS**

8. Manderbach Ford is a Pennsylvania corporation with its principal place of business in Hamburg, Pennsylvania. Manderbach Ford owns a Ford-franchised automobile dealership that does business as “Manderbach Ford,” and is also located in Hamburg, Pennsylvania. Sanjay is a Texas resident currently married to Defendant Manisha.<sup>1</sup> Deepak is Sanjay and Manisha’s son, and based on information and belief is currently in graduate school at UCLA, but is believed to have a permanent residence at Manisha’s residence.

9. In 2023 and 2024, Manderbach Ford loaned several demo vehicles to Defendants for their use. The vehicles included 1) a 2023 Ferrari 296GTB, VIN ZFF99SLA9P0290313 (the “Ferrari”) valued at \$846,000.00 and currently operated by Sanjay; 2) a 2024 BMW X5, VIN 5YM13ET02R9S29106 (“X5”) valued at \$183,000.00 and currently operated by Manisha; and 3) a 2023 BMW M8, VIN WBSAE0C01PCM46080 (the “M8”) valued at \$263,000.00 and currently operated by Deepak (with the Ferrari, the X5 and the M8 collectively referred to as, the “Vehicles”).

10. Manderbach Ford is the record owner and title holder of each of the Vehicles. Manderbach Ford likewise maintains liability insurance on each of the Vehicles. At no point have Defendants ever held any interest in the Vehicles, nor have they ever claimed an interest in the Vehicles.

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<sup>1</sup> It is Plaintiff’s understanding that Sanjay and Manisha are currently in the midst of a divorce.

11. Manderbach Ford has repeatedly requested that Defendants return each of the Vehicles to Manderbach's possession, both orally and in writing. However, to date, Defendants have failed and refused to surrender the Vehicles, necessitating the filing of this Complaint and Application for Writ of Sequestration.

**VI.**  
**CAUSES OF ACTION**

**CONVERSION**

12. Manderbach Ford realleges and hereby incorporates by reference the facts set forth above. Manderbach Ford owns and has a right to immediate possession of the Vehicles. The Vehicles are considered personal property. Defendants wrongfully exercised dominion, or control over the Vehicles, in a manner that was inconsistent with Manderbach Ford's ownership rights. Although Manderbach Ford has requested the return of the Vehicles to its possession, Defendants have exercised and continue to exercise control over the vehicles by maintaining possession of the Vehicles and hiding same from Manderbach Ford.

13. As set forth above, the Ferrari is valued at \$846,000.00. The X5 is valued at \$183,000.00. The M8 is valued at \$263,000.00. Thus, Manderbach Ford has suffered loss of value damages totaling approximately \$1,292,000.00, which is the estimated total fair market value of the Vehicles. Manderbach Ford also seeks consequential damages for Defendants' conversion, which includes loss-of-use damages estimated at \$298,055 for the Ferrari, \$56,992.00 for the X5, and \$67,766.18 for the M8. Additionally, in retaining possession of the Vehicles after being notified of Manderbach Ford's demand for the return of same, and in purposely hiding the Vehicles from Manderbach Ford, Defendants have acted with a wanton and malicious nature. Therefore, Manderbach Ford also seeks exemplary damages for Defendants' conversion.

**CIVIL THEFT**

14. Manderbach Ford realleges and hereby incorporates by reference the facts set forth above. Manderbach Ford has a possessory right to the Vehicles, as it is the title holder of the Vehicles. TEX. PEN. CODE § 1.07(a)(35)(A). In retaining the Vehicles after Manderbach Ford's demand for the return of same, Defendants have unlawfully appropriated, secured or stolen the Vehicles, without Manderbach Ford's effective consent. TEX. PEN. CODE §§ 31.01(4)(B); 1.07(a)(11). Defendants have appropriated the Vehicles with the intent to deprive Manderbach Ford of same. TEX. PEN. CODE §§ 31.03(A); 31.01(2)(A). Manderbach Ford has sustained damages as result of Defendants deprivation of the Vehicles. Defendants are therefore liable to Manderbach Ford under the Texas Theft Liability Act ("TLA"), as codified in TEX. CIV. PRAC. & REM. CODE §§ 134.001-134.005.

15. As set forth above, the Ferrari is valued at \$846,000.00. The X5 is valued at \$183,000.00. The M8 is valued at \$263,000.00. Thus, Manderbach Ford has suffered loss of value damages totaling approximately \$1,292,000.00, which is the estimated total fair market value of the Vehicles. Manderbach Ford also seeks consequential damages for Defendants' civil theft, which includes loss-of-use damages estimated at \$298,055 for the Ferrari, \$56,992.00 for the X5, and \$67,766.18 for the M8. Manderbach Ford also seeks additional damages of \$1,000, pursuant to TEX. CIV. PRAC. & REM. CODE § 134.005(a)(1). Manderbach Ford also seeks exemplary damages for Defendants' theft. *See* TEX. CIV. PRAC. & REM. CODE § 41.008(c). Manderbach Ford also seeks its reasonable and necessary attorney's fees under the TLA. TEX. CIV. PRAC. & REM. CODE § 134.005(b).

**SUIT FOR DECLARATORY JUDGMENT**

16. Manderbach Ford realleges and hereby incorporates by reference the facts set forth above. Pursuant to 28 U.S.C. Section 2201, 2202, as implemented through Rule 57 of the Federal Rules of Civil Procedure, in a case of actual controversy within its jurisdiction, a district court, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. 28 U.S.C. § 2201; *Atl. Cas. Ins. Co. v. Ramirez*, 651 F. Supp. 2d 669, 677 (N.D. Tex. 2009).

17. There is a ripe, justiciable controversy between the parties to this action regarding who has rightful ownership and a right to possession of the Vehicles. As set forth in the Statement of Facts above, Manderbach Ford is the only party that holds valid title to the Vehicles. As a direct and proximate result of the actions and inactions of Defendants, Manderbach Ford has been deprived of the possession of the Vehicles. To the best of Manderbach Ford's knowledge, information, and belief, the total combined value of the Vehicles is \$1,292,000.00. Manderbach Ford is entitled to possession of the Vehicles as it is the sole and legitimate owner and title holder.

18. Therefore, Manderbach Ford requests that this Court enter a Declaratory Judgment pursuant to 28 U.S.C. Section 2201, declaring that:

- a) Manderbach Ford has valid title to and the right to possession of the Vehicles;
- b) Defendants do not have valid title or a right to possession of the Vehicles;

19. Additionally, Manderbach Ford seeks all additional declarations that are necessary and proper to facilitate the return of possession of the Vehicles to Manderbach Ford.

**VII.**  
**APPLICATION FOR WRITS OF SEQUESTRATION**

20. Manderbach Ford realleges and hereby incorporates by reference the facts set forth above. At the commencement of and throughout an action, every remedy is available that, under the law of the state where the court is located, provides for seizing a person or property to secure satisfaction of the potential judgment, including sequestration. FED. R. CIV. P. 64. Under Texas law, a writ of sequestration is available to a plaintiff if the plaintiff has filed suit for title or possession of personal property or for foreclosure of a security interest in personal property and a reasonable conclusion may be drawn that there is immediate danger that the defendant or party in possession of the property will conceal, dispose of, ill-treat, waste or destroy the property or remove it from the county during the suit. TEX. CIV. PRAC. & REM. CODE § 62.001(a); *Marrs v. South Tex. Nat'l Bank*, 686 S.W.2d 675, 677-78 (Tex. App.—San Antonio 1985, writ ref'd n.r.e.).

21. As set forth in the Declaration of Steven Kahlon, corporate representative and authorized agent of Manderbach Ford, Manderbach Ford is the record owner and holds title to each of the Vehicles at issue in this lawsuit. As set forth in Mr. Kahlon's Declaration, the Ferrari is valued at \$846,000.00. The X5 is valued at \$183,000.00. The M8 is valued at \$263,000.00.

22. The last known whereabouts of the Ferrari is at Sanjay's residence, located at 2204 King Fisher Drive, Westlake, Texas 76262. The last known whereabouts of the X5 is at Manisha's residence, located at 2219 Cedar Elm Terrace, Westlake, Texas 76262. The last known whereabouts of the M8 is at 11600 Santa Monica Blvd Apt 504 Los Angeles, CA 90025.

23. Given that Manderbach Ford has actively tried to repossess the Vehicles and Defendants have refused Manderbach Ford's attempts to obtain possession of the Vehicles, Manderbach Ford believes that there is an immediate danger that Defendants will conceal, dispose of, ill-treat, waste, or destroy the Vehicles during the pendency of this suit. In fact, Manderbach

Ford has learned that Manisha was recently involved in an accident in which the X5 sustained damages. Manderbach Ford therefore requests that the Court issue writs of sequestration and take possession of the Vehicles pending the outcome of this lawsuit. This Application is supported by the Declaration of Steven Kahlon, attached hereto as Exhibit “A.”

**VIII.**  
**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays that Defendants answer herein, and that judgment be entered in favor of Plaintiff and against Defendants, as follows:

- a. For actual damages;
- b. For consequential damages;
- c. For lost profits;
- d. For exemplary damages;
- e. For additional damages under the TLA;
- f. For declaratory judgment;
- g. For writs of sequestration;
- h. For pre and post judgment interest;
- i. For reasonable and necessary attorney’s fees;
- j. For all costs of court; and
- k. For such other and further relief, at law or in equity, to which Plaintiff may show itself to be justly entitled.



Respectfully submitted,

**WHITE, STARLING & OSTERMAN, PLLC**

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